

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of:	:	
Kamalakar TALASILA et al.	:	
	:	
Application No.: 10/510,064	:	Art Unit: 1625
	:	
Filed: February 13, 2006	:	Examiner: Chang, Celia C.
	:	
For: ANTIHISTAMINE DECONGESTANT	:	
COMPOSITIONS	:	
	:	
	X	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CORRECTION TO APPEAL BRIEF

In response to the Office Action that was mailed on July 30, 2010, Appellants are submitting replacements for pages 7 and 8 of their Appeal Brief that was submitted on July 19, 2010. A term for response of one month was set for the response, and this submission is timely.

The replacement pages constitute pages 2-3 of this paper and are numbered as in the Appeal Brief.

Remarks are on page 4 of this paper.

SUMMARY OF CLAIMED SUBJECT MATTER

The claimed subject matter encompasses pharmaceutical compositions.

Independent claim 18 is directed to a pharmaceutical composition comprising:

- a) a tablet layer comprising an antihistaminic drug, a cellulose derivative, a polyol, a starch derivative, and a disintegrant (*See Example 1, Step A: Formulation (A), in the table on page 10 after line 13*); and
- b) a tablet layer comprising a decongestant drug and a sustained release compound (*See Example 1, Step B: Formulation (B), in the table on page 11 after line 5*).

Independent claim 27 is directed to a pharmaceutical composition comprising:

- a) a tablet layer comprising an antihistaminic drug, cellulose, mannitol, starch, and croscarmellose sodium (*See Example 1, Step A: Formulation (A), in the table on page 10 after line 13*); and
- b) a tablet layer comprising a decongestant drug and a mixture of polyvinyl acetate and povidone (*See Example 1, Step B: Formulation (B), in the table on page 11 after line 5*).

Independent claim 37 is directed to a pharmaceutical composition comprising:

- a) a tablet layer comprising crystalline form X of fexofenadine hydrochloride, about 20 to about 45 percent by weight cellulose, about 10 to about 30 percent by weight

mannitol, about 5 to about 25 percent by weight starch, and about 4 to about 15 percent by weight of a disintegrant (See *Example 1, Step A: Formulation (A)*, in the table on page 10 after line 13); and

b) a tablet layer comprising a salt of pseudoephedrine and about 40 to about 80 percent by weight of a mixture comprising about 80 percent polyvinyl acetate and about 19 percent povidone (See *Example 1, Step B: Formulation (B)*, in the table on page 11 after line 5).

The dependent claims are directed to various embodiments of the disclosed pharmaceutical compositions.

A copy of the appealed claims is appended hereto, beginning on page 21.

REMARKS

The previously submitted Appeal Brief was considered to be defective, and Appellants were requested to amend the Summary of Claimed Subject Matter section to provide specification page and line number references for claim limitations that are described. The requested information is now being provided on the second and third pages of this submission.

If any matters remain to be addressed in connection with the Appeal Brief, please contact the undersigned.

Respectfully submitted,

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